

U.S. Patent Application Serial No. 10/697,944  
Amendment filed September 5, 2006  
Reply to OA dated May 5, 2006

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1. (Currently Amended): A semiconductor device comprising:

a first insulating film formed over a semiconductor substrate;

capacitor constructed by forming a lower electrode, a dielectric film, and an upper electrode sequentially on the first insulating film;

a first capacitor protection insulating film covering the dielectric film and the upper electrode;

a second capacitor protection insulating film formed on the first capacitor protection insulating film; and

a second insulating film formed on the second capacitor protection insulating film, for covering the capacitor;

wherein an amount of carbon contained in the second capacitor protection insulating film is larger than an amount of carbon contained in the second insulating film.

Claim 2. (Original): A semiconductor device according to claim 1, wherein the second capacitor protection insulating film is a silicon oxide film.

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Claim 3. (Original): A semiconductor device according to claim 1, wherein the second insulating film is a silicon oxide film.

Claim 4. (Original): A semiconductor device according to claim 1, wherein the first capacitor protection insulating film is made of any one of alumina, PLZT, PZT, titanium oxide, aluminum nitride, silicon nitride, and silicon nitride oxide.

Claim 5. (Original): A semiconductor device according to claim 1, wherein the dielectric film is made of any one of PZT material and bismuth material.

Claim 6. (Original): A semiconductor device according to claim 1, wherein a hole reaching the upper electrode is formed in the first capacitor protection insulating film, the second capacitor protection insulating film, and the second insulating film, and a wiring that is electrically connected to the upper electrode via the hole is formed on the second insulating film.

Claims 7 - 20 (Canceled)